

JUN 12 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. BUDLEY, CLERK
BY: *Debra*
DEPUTY CLERK

TOMMY VANDYKE,) CASE NO. 7:12CV00182
vs.)
Plaintiff,)
) FINAL ORDER
vs.)
S.W.V.R.J., ET AL.,)
Defendants.) By: Glen E. Conrad
) Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Plaintiff's motion to amend and his request to file an amended complaint (ECF No. 8 & 12) are **GRANTED**, and the clerk is **DIRECTED** to add to the court's docket defendants Capt. Lockhart, Lt. Patrick, Lt. Kilgore, Carter, and Hall;
2. This civil action under 42 U.S.C. § 1983, as amended, is **DISMISSED** without prejudice under 28 U.S.C. § 1915A(b)(1) for failure to state a claim;
3. Plaintiff's other pending motions (ECF Nos. 9, 10, 16, 17, 18, & 19) are **DENIED**;

and

4. This action is stricken from the active docket of the court.

ENTER: This 12th day of June, 2012.

Glen Conrad

Chief United States District Judge